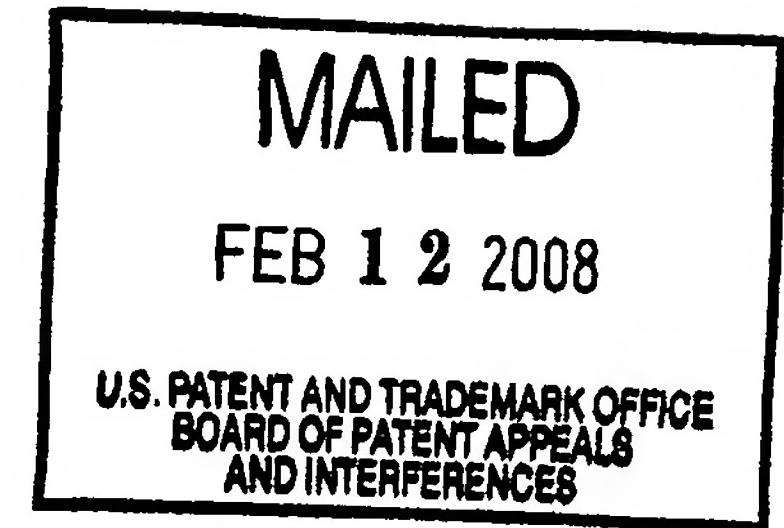


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCE

Ex parte LORI AMTHOR FULKS

Application 10/710,349



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on January 28, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

APPEAL BRIEF

A review of the file indicates that on June 21, 2006, Appellant filed a defective Appeal Brief Claims Appendix. MPEP § 1205.02 states in part,

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**>(viii) *Claims appendix.*< An appendix containing a copy of the claims involved in the appeal.

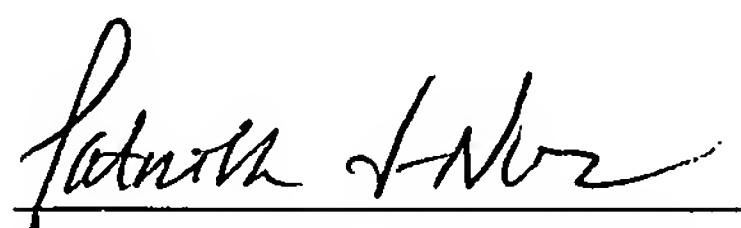
The copy of the claims ** should be a clean copy and should not include any markings such as brackets or underlining >except for claims in a reissue application<. See MPEP § 1454 for the presentation of the copy of the claims in a reissue application. The copy of the claims should be double>-<spaced and the appendix should start on a new page.

Correction is required.

Accordingly, it is **ORDERED** that the application is return to the Examiner to:

- 1) require Appellant submit a Paper with a substitute Claims Appendix in compliance with the new rules set forth in 37 C.F.R. § 41.37(c); and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES


PATRICK J. NOLAN
Deputy Chief Appeals Administrator
(571) 272-9797

Application 10/710,349

PJN:kis

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